

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WINSTON LAWRENCE,

Plaintiff,

- against -

DECLARATION

Case No. 14-cv-3616 (DRH)(GRB)

SOL G. ATLAS REALTY CO., INC., PETER FIDOS,
in his official and individual capacities, and
SANDRA ATLAS BASS, in her official and
individual capacities,

Defendants.
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JESSICA M. BAQUET, an attorney duly admitted to practice law before the Courts of the State of New York and this Court declares under penalty of perjury the following in accordance with to 28 U.S.C. § 1746:

1. I am an associate with Jaspan Schlesinger LLP, attorneys for defendants, Sol G. Atlas Realty Co., Inc., Peter Fidos, and Sandra Atlas Bass (collectively, “Defendants”) in the above-captioned action.

2. I submit this Declaration in support of Defendants’ motion to dismiss the Complaint filed by Winston Lawrence (“Lawrence”) pursuant to Fed. R. Civ. P. 12(b)(1) and (6) and to compel Lawrence to arbitrate pursuant to the Federal Arbitration Act, 9 U.S.C. § 1, *et seq.* (“FAA”). For the reasons set forth in the accompanying Memorandum of Law, Defendants’ motion should be granted in its entirety.

3. The following exhibits are referenced in Defendants’ Memorandum of Law and are submitted herewith:

Exhibit A: Collective Bargaining Agreement (“CBA”) between Service Employees International Union, Local 32BJ and Sol G. Atlas Realty Co., Inc. for the

term beginning June 21, 2006 and ending June 20, 2010;

Exhibit B: Stipulation of Agreement dated December 20, 2010 which extended the term of the CBA to June 20, 2014;

Exhibit C: Charge of Discrimination filed with the Equal Employment Opportunity Commission by Winston Lawrence on or about April 15, 2013.

WHEREFORE, Defendants respectfully request that the Court issue an Order: (1) compelling Plaintiff to arbitrate the claims contained in his Complaint; (2) dismissing the Complaint in its entirety; and (3) granting such other and further relief as this Court deems just and proper.

Dated: Garden City, New York
August 8, 2014

/s/JESSICA M. BAQUET
JESSICA M. BAQUET